

STATEMENT OF THE PROFESSORS,



AND OTHER DOCUMENTS

RELATING TO THE RECENT

ELECTION OF MR. GAMGEE


TO THE OFFICE OF

Surgeon to the Queen's Hospital,

BIRMINGHAM.

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Queen's Hospital.

STATEMENT OF THE PROFESSORS, AND OTHER DOCUMENTS.

THE Professors of the Medical Faculty in the Queen's College, Birmingham, holding seats on the Council, have the honour to submit to the public the following narrative of the circumstances which have attended the recent election of Mr. Gamgee to the office of Surgeon to the Queen's Hospital, and *ex-officio* Teacher of Clinical Surgery. They have not hitherto considered it consistent with their duty to correct the numerous erroneous statements which have been scattered abroad from such varied quarters, but the attempts now so diligently made to injure the cause of charity—to impede the onward march of the great principle of pure administration of electoral trusts—forbid a longer silence. They will make every effort not to imitate their opponents either in their personal taunts, or in their methods of informing the public by means of the suppression of material facts. It is their desire to present an undisguised and temperate avowal of all the circumstances which can afford aid in the formation of a judgment upon a question so nearly involving the future welfare of two great institutions.

The Professors consider it to be of primary importance to state clearly the theory of the elections at the Queen's Hospital, about which the gravest misapprehensions have arisen, and to this end they are compelled to direct attention to the causes of its original foundation by Mr. Sands Cox. In the year 1839 it became apparent to that gentleman, and to the Council of the Royal School of Medicine, which owed its creation also to the same hand, that complete and systematic bedside instruction was indispensable to the due education of medical students. There was confessedly no adequate provision for this all-important element of medical study in any provincial hospital, or, indeed, in the great majority of the metropolitan hospitals. But this was not all. The time had arrived when it was not less manifest that the school which had been formed with so much labour and at so great a cost, could not be carried on in the face of powerful and carefully organized influences of an antagonistic nature, whose weight, while only one hospital existed in this town, was overwhelming. The importance of the establishment of an hospital

in direct connection with the school, destined to be developed into the Queen's College, wherein the Professors could obtain a practical basis for their instruction, where they could find themselves face to face with disease on the one hand and with the pupils on the other, was too plain to be misconceived when publicly announced. It was equally clear, not merely that such an institution was demanded in a general sense, but that it was necessary its connection with the College should be of the closest character, so far as its Medical Officers were concerned. It was to no purpose that a new Hospital was opened for Clinical Instruction, if the Professors of the School could not instruct in that Hospital, and *vice versa*. If other influences than those proceeding from the School should be allowed to preside over the medical appointments, the *object* of its foundation would be frustrated. The College was to be the scientific nursery of Hospital Officers. The Hospital was to be the prize of professorial service in what would otherwise be the almost barren field of College labour. Hence the Queen's Hospital was a direct emanation from the President and Council of the Royal School. Its models, in this aspect, were the University College Hospital and King's College Hospital, London; respectively connected with schools of world-wide renown. "Many Hospitals," says a distinguished surgeon, "suggested by piety and devotion, have been wisely modelled into schools of science, and illustrate the excellence of charity, whose immediate benefits have always an extended influence," but in this case it may be observed that enlightened charity has directed "her gifts according to the views of science;" and "can charity perform a nobler part, or do a greater service, or provide a larger store of benefits for mankind than by fitting and preparing the young for the duties of their profession by means of Clinical studies in medicine and surgery?"* It is not surprising that from the laying of the first stone of the Hospital down to the present hour its great object has ever been prominently set forth. A brass plate on that stone declares—"This stone of a new Hospital, to be called the Queen's Hospital, in union with the Royal School of Medicine and Surgery at Birmingham, was laid by the Right Honourable Richard Earl Howe, assisted by the Fraternity of Free and Accepted Masons, on the 18th of June, 1840, and in the third year of the reign of her Majesty Queen Victoria." The Rev. Vaughan Thomas, one of the Trustees, in his eloquent address on the occasion of the above ceremony, observes :—"It is now time to consider this Royal Hospital as one connected by the closest affinities with the Royal School of Medicine and Surgery, and its practice as subsidiary and supplemental to those courses of lectures, which the able and assiduous Professors of the School are in the habit of delivering." Two days after these words were uttered to thousands of persons, the Council of the School, under the presidency of the late revered Dr. Edward Johnstone, passed the following resolution, as if to mark, for all time, both the object of the Hospital and the person who founded it:—"That the grateful acknowledgments of the Council be given to Mr. W. Sands Cox for the additional important services he has rendered to the Royal

* "An Address upon laying the Foundation Stone of the Queen's Hospital, Birmingham," by Vaughan Thomas, B.D.

School of Medicine and Surgery, by projecting and unceasingly promoting the establishment of a *Clinical Hospital in connection with the School, without which the system of medical education would be imperfect*, and by which the opportunities of acquiring practical experience will be super-added to the instruction of the Medical Student in the general principles of his profession."

A few months before the above transactions occurred, an application was made through His Grace the Duke of Sutherland, to Her Most Gracious Majesty the Queen, for her patronage of the Institution. His Grace "most readily" accepted the service, "on account of the advantage it will afford to the School of Medicine, and also to the people within reach of succour at Birmingham." The following was the reply:—

" *St. James's Palace, April 8, 1840.*

" My Lord Duke,—I have the honour to acknowledge the receipt of your Grace's letter of the 3rd instant, accompanied with a petition signed by the President and Vice-president of the Royal School of Medicine and Surgery at Birmingham, and other gentlemen connected with that city, which I have not failed to submit to the Queen; and I am directed to inform your Grace, for the information of the gentlemen concerned, that Her Majesty will be graciously pleased to grant her patronage to the Clinical Hospital at Birmingham, and will allow it to be styled 'The Queen's Hospital at Birmingham.'

" I have the honour to remain,

" My Lord Duke,

" Your Grace's most obedient servant,

" W. WHEATLEY.

" His Grace the Duke of Sutherland."

The Professors deem it to be unnecessary to offer further proof of the *original design* of the Hospital as an integral part of the School, but now proceed to show how this design was carried out in its constitution, in the election of its medical officers, both at its opening and subsequently, and, still more, in the *method of these elections*. The first three surgeons were the Professors of Surgery, of Anatomy, and of Botany in the Royal School. The first three Physicians were the Professors of Forensic Medicine, of Animal Chemistry, and of Hygiene in that School. These gentlemen were elected by the Council of the School, and, on the other hand, several of the Medical Officers of the Hospital elected since its first formation have been called upon afterwards to enter upon the duties of the professorial chairs in the College, as vacancies have arisen; the Council having an express power, under the Charter, of requiring them to undertake those duties. The last elected Physician was at one and the same time elected to that office, and to the Chair of Materia Medica in the College. Every medical officer is compelled by the terms of his appointment to give clinical lectures; and yet the Council can only pay such proportion of the fees accruing from students of the Hospital as they shall think fit "to such medical and surgical officers as are engaged in the actual duties of Professor of the said College."*

The Committee of Council of the Hospital consists of a certain number

* First Supplemental Charter.

of Governors elected by the general body of subscribers, of the Senior Physician and Senior Surgeon, and of the chief officers of the Council of the College, including all its *ex officio* members. That portion of the Committee of Council elected by the Governors is itself represented on the Council of the College by two members. This Committee have certain administrative functions to perform in reference to the Hospital; but in two important particulars the Principal and Council of the College have uncontrolled power. The first is in reference to elections, the Charter declaring that the power of appointing the Chaplain and the Medical and Surgical Officers of the said Queen's Hospital from time to time, as vacancies occur, *shall be vested in the Council of the said Queen's College*. The second refers to the right of holding property "for the use of the said Queen's Hospital," which is expressly allocated to the Council of the College for the excellent reason that the "Principal, Vice-Principal, and Council, have erected, or assisted in erecting, by means of public and private donations and benefactions, an Hospital styled, by her Majesty's most gracious permission, 'The Queen's Hospital, at Birmingham,'"—"wherein the students in the medical department of the said College have received and are receiving from the several Professors, Physicians, and Surgeons attached to the said College and Hospital, clinical instruction."

Independently of the ordinary medical and surgical departments of the Hospital, there is also a midwifery division. This is under the superintendence and absolute control of the Professor of Midwifery of the Queen's College. No further election is necessary than that to the Chair of the College, upon which follows, as a matter of course, the connection of that Professor with the Hospital.

But the real nature of the Hospital, as a portion of and subsidiary to the College, will be most distinctly appreciated when the *method of election* of the ordinary Medical Officers is fully understood. In the laws of the Hospital determined upon at its first formation, it is strikingly observed that "in order to preserve the union between the Queen's Hospital and School of Medicine and Surgery, the power of appointing the Chaplain and the Medical and Surgical Officers of the Hospital, as vacancies arise, shall be vested in the Council and Trustees of the Royal School, subject to the confirmation of the Governors of the Hospital at their annual general meeting," and as if to ward off the possibility of interference with the great objects of the College, on the part of persons who, although donors from charitable motives to the Hospital, might be unable to comprehend its Collegiate relations, or might even be opposed to the whole aim of the College, this last power, that of confirmation, is abrogated by a supplemental charter obtained on the 7th day of July, in the seventh year of the reign of her present Majesty, for the purpose mainly of regulating the relations of the two Institutions. The precise words are as follows:—

"And we do further grant and declare that the power of appointing the Chaplain, and the Medical and Surgical Officers of the said Queen's Hospital from time to time, as vacancies occur, *shall be vested in the Council* of the said Queen's College." Hence, in the highest appointments of the Hospital, those relating to its special functions as a branch of an educational establishment, the absolute power of the Council is undeniable. But the framers

of the laws were not satisfied with the barren enunciation of a principle, they endeavoured, by means of a particular instrument, to render the election of the best obtainable candidate almost a matter of certainty, and, as if to mark their sense of the vital importance of having no person elected to be their colleague, who might either be relatively incapable or generally obnoxious to them, the *right of initiative in all matters of Medical Elections* is given by the Charter to the Professors of Medicine and Surgery in the College. The primary aim is, undoubtedly, that the most competent judges, surrounded by every influence likely to retain them in the right direction, should have a high influence in the elections; but it is of only less importance as securing, in the most efficient manner attainable, the proper harmony and co-operation between the different officers of the institutions.

The Professors request the attention of the friends of the College to the particular instrument above alluded to, and which regulates all these matters. It is headed as follows:—"The Election of Professors of Medicine and Surgery, and the Demonstrator of Anatomy, and of the Medical and Surgical Officers of the Queen's Hospital,"* and the words are these, "When any vacancy occurs in any of the above Professorships, or in the Demonstratorship, or in the Medical and Surgical Officers of the Queen's Hospital, the names of the candidates are, in the first instance, to be referred by the Council to the Professors of Medicine and Surgery, who shall make a special report thereupon to the Council, specifying the names of such candidates as, in their judgment, are qualified and eligible, and, in their opinion, best fitted to fill the vacant Professorship, or Medical or Surgical Office of the Queen's Hospital, or Demonstratorship, specifying the grounds of their recommendation, which shall be entered on the minutes of the Council; and the Council is then to appoint, from the candidates included in such report, the one whom they consider best qualified and most eligible to fill the vacant office."

The Professors invoke especial attention to these points in the above law:—

1st.—That they are required to "report" upon the candidates "in the first instance"—that they are interposed on the threshold between the candidates and the Council—that they are not limited, in their considerations, to any special point, as for example, the testimonials, the residence of the candidates, &c., &c.; but that the "candidates," in all their relations of fitness, are to be reported upon.

2nd.—That they are not required to send up the names of the candidates to the Council, but to *make a selection*—they are required to specify "the names of *such* candidates," and not merely "*such*" as are "qualified and eligible," but *such* as are also "best fitted to fill," &c., &c. This gives an obvious excluding power to the Professors. They are the constituted judges of the legal qualification, general eligibility, and relative fitness of the candidates, and they are required to predicate these three things of the candidates who obtain "their recommendation." There is a remarkable proof of the real significance of the word "best fitted," and of the intentions of the Council in framing the bye-law. In the original

* "Calendar of the Queen's College, Birmingham." Edited by the Dean of the Faculty. 1858. Printed by M. Billing.

charter of the College it is declared that the names of the candidates for a Professorship "shall, in the first instance, be referred by the Council to the Professors, who shall make a special report to the Council of the names of such candidates as in their judgment shall be qualified and eligible, professionally or otherwise, to fill the vacant Professorship." But, as if for the express purpose of giving the "experts" of the medical faculty a still greater influence, and a more delicate trust in the election, and of offering to scientific men all over the kingdom the strongest guarantee that merit only would be allowed to influence the Council, the subsequent bye-law, framed several years ago, directs the Professors, as above stated, to inform the Council as to the "best fitted" of the candidates.

This alone could fairly satisfy the public and professional opinion that not merely was a "right man put in a right place," but that *the best men were elected to all places*. In view of an open candidature to which the whole kingdom is invited, nothing short of this can fulfil the fair demands of competitors.

3rd.—That the Professors are required to specify "the grounds of their recommendation." It will be easily conceded that this portion of the law gives a powerful support to the cause of the best man. No secret reasons for their recommendation will suffice. The grounds must be declared in writing and forwarded to the Council, in whose minutes they are inserted. These Reports have always been printed in the medical journals and local newspapers, so that defeated candidates and the public press are able to criticise and condemn, if erroneous, the grounds of the Professors' recommendation. It is certainly a great misfortune that the Council also are not required by the bye-law to declare the "grounds" of their refusing a recommendation of the "best fitted" candidates. It would be but reciprocal justice both to Professors and to competitors. There is a probable explanation of the omission in the consideration, that the refusal of the recommendation of the Professors, arrived at under such solemn guarantees, was never contemplated by the Founder and framers of the law. However this may be, assuredly publicity is the surest safeguard of the honour of candidates, and a necessary basis for the general esteem of a corporate body.

4th.—That the Law requires the Council to come to their judgment upon the presentation of the Report of the Professors, its terms being, "*The Council is then to appoint from the Candidates included in such Report,*" &c., &c. It would be difficult to imagine words more decisive as to the real intention of the law than these. The Council have but one legal path by which to arrive at the knowledge of the "best qualified and most eligible" of the candidates—that path is through the Report of the Professors. No time is given for further inquiry—for conversation with the candidates—for interviews with friends—all this has been rendered unnecessary and unconstitutional by the Report of the Professors. "*The Council is then to appoint.*" It is manifest that the whole spirit and intention of the law is, that the Council, as the supreme Court of Honour of the College, responsible for the maintenance of the interests of both College and Hospital, should proceed to the election unbiassed by any prepossession whatever, except that gained through the Report of the

Professors. This is clearly shown by the reflection that the whole Council, or a majority, may enter the Council Chamber with a strong prepossession obtained out of doors in favour of a particular candidate, and this candidate they may be unable, by any stride of authority, to support, *because his name is not in the Report!* The Professors revert with unfeigned reluctance to the circumstance that this would literally have been the state of affairs on the 14th of October last, when, for the first time in the history of the College, a gentleman was inadvertently elected to fill a medical appointment, in opposition to the strong and conscientious recommendation of the Founder and Professors. That gentleman's name was alphabetically arranged with five others, as "qualified and eligible." The framers of this Report did not then adequately appreciate the injustice thus done to several other candidates, by arranging together, as if on the possession of equal claims, the names of gentlemen whose merits were so different. But though *literally* the name of Mr. West appeared in the Report on that day, it was not before the Council in the sense contemplated by law, inasmuch as the three words "qualified," "eligible," and "best fitted" were predicated of one candidate only—namely, Mr. Gamgee; and the other portion of the Report, of the nature of a preamble, in which *all* the candidates were placed *without selection*, was mere surplusage. The law seems to require the Professors to present to the Council at least two candidates, but in all previous elections they have been permitted to undertake the responsibility of recommending one only. There was never so good a reason for this practice as during the late election, when they felt themselves called upon to give the strongest recommendation of Mr. Gamgee. It may be now stated that had the Council claimed the right to demand from the Professors the re-consideration of their Report, with the view of obtaining the names of those who appeared to be the best fitted among the six candidates, that result could have been attained without difficulty, but the object of the majority of the Council, on the 14th of October, would not have been brought nearer, for the Professors are bound by every incentive which can operate upon men of honour to declare those only, of given candidates, the "best fitted," who are best fitted in fact.

Such then was the object of the establishment of the Queen's Hospital, and such was the method determined upon by the authorities of the College for the filling up of its medical appointments. To the former the Professors feel they can point with just pride, as having not merely fulfilled, to a high degree, its educational object, but as having been the means of conferring inestimable benefits upon the afflicted in the town and adjoining districts. They know that these benefits have been equally appreciated by the poor upon whom they have been bestowed, and by those Governors who have made themselves acquainted with the daily working of the Institution. Education has been raised, but charity has not been forgotten. On the contrary, scientific instruction has thrown in its bright contribution to the common cause of humanity. The difficult problem, difficult even in the metropolis, of the maintenance in a flourishing condition of an hospital, whose primary aim was scholastic, has been successfully solved in Birmingham. Those munificent clergymen, eminent noblemen, and philanthropic merchants, who, in 1840, resolved, under the direction of a

Birmingham Surgeon, to establish an Hospital for higher purposes than had hitherto been attempted in the provinces, did not miscalculate the public spirit of the district in which it was placed. Men of noble purpose have been found who, for the love of their fellow men and the glory of their Creator, have freely given towards the support of an object of unmixed good. They have not been deterred by the consideration that they do not, and cannot, enjoy in this instance the perilous privilege of voting for the medical officers. These honourable citizens did not make the patronage of the Physicians and Surgeons a necessary preliminary to the patronage of a Charity, and the Professors will not believe that the sons of such citizens are less single-minded than their sires.

The Professors desire further to direct the notice of the public to the mode of election, as giving, when loyally carried out, a full guarantee to all parties that the fittest candidate will be elected; and offering the best inducement *to fit men to become candidates*. Two different bodies take an independent part in the election. One of them consists in its very nature of scientific experts, belonging to the same profession as the candidates, responsible to the somewhat censorious opinion of that profession, as men of education and character, actuated by the sentiments which usually operate upon such men, and bound by every consideration to promote the welfare of two great Institutions. This is the selecting, or, in other words, the excluding body. It is also the recommending body. In the former aspect, its members have to perform a duty to the unfitted. In the latter, to the fitted. It is referred to, in the Charter and Bye-Laws, under the title of "The Professors of Medicine and Surgery."

The other and highest authority is the Council of the College, which enters upon the solemn duty of electing gentlemen to undertake the most difficult responsibilities of their profession, both educational and general, only after the fullest information is before them, from the hands of its medical advisers.

If further explanations become necessary, during the act of election, there are Medical Representatives on the Council who have the power of offering such explanations. It cannot be doubted that the function of the Council in matters of Election may be often of the first importance to the interests of the Institutions over which it presides. The Professors may be divided hopelessly on the question of merits—they may, by some unhappy combination of circumstances, be led strongly by private interests or personal affinities, rather than by public duty. It is not probable, but such a contingency is provided against.* Here the Council would act as a Court of Appeal, and have the opportunity of doing justice to the parties concerned. In all cases, the knowledge of the possibility of such an intervention would act as a powerful stimulus to the Professors to act up to the spirit of the laws. Apart from these considerations, the actual election of an officer by the Council, gives a dignity to the office, and adds a grace to the act, which

* When it is considered that a surgeon was the founder of the College, it is remarkable that there is no similar provision in the Theological Department. Here there is a Committee of the Department, in which is vested the appointment to the best endowed Professorship in the College, that of Pastoral Theology. The Committee consists of ten members—seven of which are, by necessity, Clergymen. The most competent judges here make the appointment *absolutely*. The board of Medical Professors also consists at the present time of ten members.

would not be imparted if proceeding exclusively from a professional committee.

It is no wonder that a mode of election so far removed from that usually practised in Hospitals,—so free from the numerous impure influences which too often frustrate the efforts of the ablest, and warrant the pretensions of the least qualified, should have received the commendation of the highest authorities on its first promulgation; for by it, as declared in one journal, “it must be evident that (next to *concours*) the interests of the sick and suffering are best protected.” It has not been necessary that a candidate for the office of Surgeon to the Queen’s Hospital, Birmingham, should be wealthy; for he has not been compelled to make Governors, to pay lawyers, canvassing agents, and costly advertisements. It has been superfluous that he should waste a still more valuable commodity than money—*time*, in sycophancy to the powerful, intrigues with the weak, and social subservience to all. The Council and Professors have been accustomed to ask for evidences of hours spent in scientific research, of experience, and devotion, and ability. Hitherto they have not asked in vain, for, in such matters, to ask in good faith is to have.

The public will be now in a position to form an opinion upon the recent proceedings in the College. The essential facts in its history and constitution are now before them, and the Professors are enabled, on this firm basis, to enter with advantage upon the narrative of those proceedings.

On the 6th day of April last it was announced in the *Birmingham Gazette* that Dr. Fife had resigned the office of Physician to the Queen’s Hospital. In this announcement it was declared that the “Council are pledged, in accordance with the fundamental laws of the College and Hospital, without favour or affection, to elect the candidate best qualified and most eligible, whoever he may be; and that canvassing, either personally or through friends, is strictly prohibited, and will be held to be an entire disqualification.” In the same impression of that well-informed paper, a formal advertisement was inserted, in which the method of election, as exhibited in the Bye-law so often quoted, the nature of the duties both in relation to the College and to the Hospital, the strict Professorial conditions annexed to the office, and finally, the prohibition of canvassing, were plainly set forth. “*Canvassing the Council, either personally or through friends, is strictly prohibited, and will be held an entire disqualification,*” is the last clause of that advertisement, which was *posted on the minutes* of the Council and formed a portion of their proceedings. Several candidates declared themselves ready to compete for the office. One Physician of great ability, in connection with one of the largest Medical Institutions, in London, retired from the competition on the ground that the necessity for giving formal instruction in a College Chair, if called upon, entailed a condition for which he believed himself to be physically disqualified. At a meeting of the Professors for the purpose of reporting upon the Candidates, two gentlemen only were submitted to them. The Testimonials and antecedents of the Candidates were of a nature to warrant the belief that either of them would have been a most acceptable officer, in any or all of the capacities above alluded to. One of them at that time held a high office under the Crown in Ireland, and was well known to his brethren

as an original contributor to the common stock of knowledge. The other, highly accomplished, presented testimonies of unusual acquaintance with the most abstruse branches of science, and had also given early proof of distinction in literature. One of these gentlemen, who was finally elected, had been but slightly acquainted with one or two of the Professors. He did not come to Birmingham during the election. He took no means whatever to obtain the patronage of the Council otherwise than by the transmission of his testimonials. The other arrived in this town for the object of making himself personally known to the Professors—a laudable object, and which has ever been encouraged by them. The former of these gentlemen was recommended to the Council as the “best fitted” for the vacant office, and the reasons for that recommendation were drawn up at length, and subsequently printed in numerous journals. The Principal and Council accepted that recommendation with every expression of confidence in the honour of the Professors. The Medical Profession throughout the kingdom received it with enthusiasm. Its organs in the metropolitan cities vied with each other in declarations of satisfaction, and in the expression of hopes that the good time had at last arrived when the evils attendant upon the existing modes of filling up Hospital appointments would no longer be suffered to exist. The editors of the local organs of opinion echoed the professional sentiment, and both publicly and privately demonstrated their approval of the act, and avowed the trust that in making the appointment to a Surgeony, then just announced to be vacant, *public considerations only* would be allowed to weigh!

It is a noteworthy circumstance that some of the first men in the Medical Profession, who had given the strongest testimonials and the warmest recommendation of the candidate who did not receive the honour of appointment by the Council, have since expressed their belief that, under the circumstances, the Professors and Council could not act otherwise than they did.

It is true that in this case the candidates were men of scientific distinction only; they were not residents in this town; they were strangers, not in the Temple of medicine, but within the range of the gaslights of the borough. They were in the position, ordinarily considered to be an unhappy predicament, of “having no friends.” But these gentlemen seemed content with the possession of their merits. This is possibly the explanation of a remarkable though somewhat curious fact, that only six gentlemen attended the Council when an election so closely involving the welfare of the Hospital was made, five being necessary to form a quorum: of these two were Physicians, two Surgeons, and the remaining two the Treasurers of the College and Hospital.

The approval of the Professors’ Report was moved by the learned Principal, himself a Physician, who “remarked on the honour conferred on the Institution by men of such attainments offering themselves as candidates for the appointment now vacant, which was unattended with *popular excitement and canvassing of friends of either party*. The testimonials of the various candidates were referred to the Professors of the Queen’s College, men eminently fitted to form an opinion as to their value, and who recommend the one they deemed most qualified for election.”

Immediately after the Report of the Principal's speech in the published proceedings of that day, the following notice occurs :—"A letter was read from Mr. G. B. Knowles, apprising the Council of his intention to resign the appointment of Surgeon to the Queen's Hospital at the termination of the present academical year in July." Thus on the same day that the Council made an election, on the recommendation of the Professors, which met with universal approval, its chief declaring that the absence of canvassing was a conspicuous feature in the appointment, another vacancy is announced by the resignation of one of the *Surgeons* of the Hospital. In the month of August gentlemen were invited to become candidates for this vacancy, by advertisements both in the London and local journals: This advertisement was shortened in many particulars, and the saving of expense in this matter has been the cause of an attack upon the honourable usages of the College, and of an attempt to damage the purity of its elections. But though unhappily the prohibition of canvassing did not appear in the original advertisements, a statement of the names of all the candidates and of other particulars relative to the election was inserted in the *Birmingham Mercury* and *Daily Press*, of October 10th, in which that prohibition is referred to, as a well-recognised part of College practice.

On the 13th of October the Professors met for the purpose of investigating the claims of the rival candidates, and reporting thereupon. At the commencement of the meeting one of the Senior Professors withdrew his son from the competition, his brethren having intimated their opinion that his early age would form an obstacle to his election as Surgeon. To this conclusion they were brought by a sense of duty only; for the superior surgical aptitude of that gentleman, and the claims possessed by him, derived from other considerations, could not be lightly passed over by the Medical Professors of Queen's College. Six candidates were finally left in the field. Three of them had been resident officers of the Hospital; the last, in point of time, of these was Mr. J. F. West. He was also, by several years, the youngest, and the only one of the whole number of candidates who had not entered upon practice, or been connected with any institution or either of the public services, excepting in a subordinate capacity. One had been the first student of University College in his time, a House Surgeon of a Metropolitan Hospital, a Staff Surgeon of the first class, Surgical Chief of a Legion during the late war, an Assistant Surgeon for some time to one of the London Hospitals, and a most learned and acute contributor to surgery in many branches; another had also been a House Surgeon of the same Metropolitan Hospital, had been a resident officer in the Kent Infirmary, in the Brompton Consumption Hospital, and finally, for eighteen months, in the Queen's Hospital; he had also, while in private practice, performed the surgical duty of the General Dispensary for twelve months, was an operator of known skill, and, like all his competitors, of unblemished character. This gentleman, also, had made himself known in one branch of surgical literature. A third had been House Surgeon for nearly three years at the Dreadnought Hospital, under one of the most accomplished Surgeons of the age, had been in practice in Birmingham for five years, and during almost the whole of that time had been, and still is, one of the Surgeons to the General Dispensary. He was well

known as a member of an old Birmingham family. This gentleman presented peculiar claims upon the good will of the public; for, at the crisis of the war, he was selected by the Government to proceed to Smyrna as one of the Surgical Staff of its Military Hospital, and subsequently volunteered for Sebastopol, where, amid the dreadful scenes attendant upon the carnage of the 8th of September, he exhibited very uncommon operative skill. A fourth had been House Surgeon for nearly three years at the Queen's Hospital, after a career, as a Student in the College, of unusual brilliancy. He had subsequently served for several years under the Honourable East India Company, and had recently seen great service in the Persian War. He was also well known as the son of a respected Surgeon and Magistrate near this town. All these gentlemen were about the age of 30. The fifth had also passed through a career of great distinction in the College and Hospital; had been House Surgeon for two years at the Leamington Hospital; was, at the time, one of the Demonstrators of Anatomy in the College; had entered upon private practice in the town; and had made several contributions to surgical science of remarkable merit and promise. The sixth, Mr. West, was residing in the Hospital, as its House Surgeon; an office he had held for three years, and, like his predecessors, with credit. This gentleman had filled no other office, but achieved several marks of distinction while a Student of St. Thomas's Hospital, London. It is generally understood that Mr. West is 24 years of age.

The Professors could not but feel gratified that so many candidates of repute, and many of such standing, should offer themselves for this honourable post. It was deemed a sound test of the general confidence in their good faith. Previous to the transmission of the testimonials of Mr. Gamgee to the Professors, which had been delayed by an accident, there was considerable difference of opinion as to the best fitted of these candidates. Some leaned to old pupils of the College, as offering a stimulus and a reward to the highest class of students, and for which there can be urged the almost universal practice of the London Hospitals. Others leaned to the side of the best testimonials from other and distinguished schools; while some again thought that an actual acquaintance with the powers and character of a candidate should outweigh all such testimony. Much could be said on every side. The Professors, in the discharge of their serious duty, constantly conferred with each other, and carefully balanced the claims and antecedents of all. They have been affected with disgust that these differences of opinion have been quoted in evidence of dishonest intentions; but the lowest intelligence is not likely to be entrapped by such utter folly. From the moment that Mr. Gamgee's pretensions were submitted to the Professors the question assumed a different aspect. The majority of those gentlemen, whose peculiar position entitled them to take a leading part in these transactions, saw at once that the "recommendation" of any other candidate, if testimonials and scientific reputation were to be weighed, could not be entertained. But Mr. Gamgee was personally altogether unknown to the Professors; it became advisable, therefore, notwithstanding the explicit testimonies to his character and conduct from eminent persons, to seek private information upon such points. All these were minutely inquired into, and thoroughly discussed at the meeting

of the Professors, and, after some expressions of difference of opinion, there was a final unanimous recommendation of that gentleman as the "best and fittest" of the candidates. Many explanations have been published of the reasons for this recommendation, as if the reasons were not patent on the surface, but of the whole of these explanations the Professors have only now to observe that they are not merely unfounded, but precisely opposed to what took place. They feel it to be almost unnecessary, after this enumeration of the plain facts, to declare that no personal consideration led them to their result on the 13th of October. They thought then, and think still, that the adoption of any other course would have exposed them to the ridicule of their profession, to the contempt of every honest man, and to the reproaches of their own consciences.

On the following day the Council were called together for the purpose of electing the Surgeon. Immediately after the Vice-Principal had taken the chair, the Report of the Professors was read by the Dean of the Faculty. The names of all the candidates were grouped together in the Report without selection, as "qualified and eligible," but one only was declared, in the phraseology of the law, to be "best fitted," and the grounds of this recommendation of Mr. Gamgee were specified at length, in accordance with law and custom. Some discussion ensued for a few minutes. The professors were blamed for the predominance of Mr. Gamgee's titles to election, as set forth in the Report, but they can scarcely be held responsible for this. It was also plainly intimated, and has since been often reiterated by one member of the Council, that he would not register the nomination of the Professors; having, doubtless, misapprehended the relations of the twin Institutions and the nature of the laws by which they are governed. Finally, the voting paper was sent round; votes were recorded *for two candidates only*—eight for Mr. West, and seven for Mr. Gamgee. The name of the latter had been freely used in the debate. Many questions were asked, which the Professors present answered to the best of their ability, though unprepared for many of them. The name of the successful candidate was not broached in the discussion. No questions were asked as to his "fitness," or general merits relative to other candidates. One portion of the Council appeared to think that the Professors' recommendation, backed by the Founder of both College and Hospital, was a sound basis on which to vote; the other portion took an opposite view. The result was the declaration by the Reverend Chairman that Mr. West was elected.

It must not be concealed that the Professors were confounded by this blow at the whole system of the College, and astonished at the success of the measures by which so remarkable an innovation had been brought about. It appeared to them, in itself and in its consequences, as one of those disasters which annihilate hope.

The deed was scarcely done when the sentiments of several members of the Council underwent a modification. The idea that possibly an injustice had been done to the other more deserving candidates—that the gentleman actually elected might have owed that honour to proceedings to which the usages of the College were opposed—a little more accurate acquaintance with the machinery of the elections and with the part assigned to the Professors, and, probably, a lurking feeling that the treatment received by them

was not quite in accordance either with the respect previously paid to their opinions or with a charitable consideration for their motives—all led to a strong desire, which grew as days passed on, to bring about something in the nature of a compromise. A very distinguished member of the Council hinted a hope that such might be effected, when attending, a few days afterwards, a meeting of the committee of the Arts Department. Applications, of a strictly non-official, though most conciliatory character, made, in this hope, were declined by Mr. West.*

The efforts were abandoned. Within a few days, Mr. Gamgee arrived in town, and placed himself in communication with the Professors, and declared to some of them his intention of having an interview with his successful rival. This interview took place in the Hospital. Mr. West, to his credit be it said, at once acknowledged himself fully alive to the immense superiority of his antagonist, and gave utterance to many phrases in this sense.

At that moment the Professor of Materia Medica was visiting the wards, and was earnestly besought by Mr. West to go to his private apartments for the purpose of hearing a proposal of compromise by his acceptance of the Assistant Surgeonship. That Professor was most reluctant to undertake the delicate task, and freely expressed that reluctance, but it was finally overcome. On entering the room in which Mr. Gamgee had remained Mr. West declared his readiness to accept the above office, with certain conditions thereunto annexed, and subject to the sanction of the gentlemen who had honoured him with their support. The Professor was requested by both gentlemen to undertake the duty of their joint ambassador to the Board of Professors, with the view of effecting a speedy settlement. An adjourned meeting of that body was held two days afterwards, to which some of its members were, by inadvertence, not summoned. Great difficulties were found to exist in the arrangement of such a question, both for the present and the future, but the Professors, actuated by the spirit of conciliation, finally determined upon a plan by which the interests of the Candidates, in the then state of affairs, were adequately cared for, and the welfare of the Hospital would be exposed to the least impairment.

Two Professors were entrusted with the document embodying the sentiments of their colleagues, and they were directed to have an interview with Mr. West as soon as possible. Immediately after the meeting broke up at noon, they saw that gentleman in the Hospital. Certain rather unexpected obstacles presented themselves. The signature of the document by the chairman of the meeting was demanded by Mr. West as essential. It was done. Another paper was written in the room at the solicitation of Mr. West, in reference to an arrangement about a limited number of beds to be allotted to him during his tenure of office as Assistant-Surgeon. It had been intended to make this a matter of private arrangement between the gentlemen chiefly involved, but the two Professors, anxious that no impediment should be interposed by them, consented to put it in writing—although they did not deem themselves authorised to attach signatures to

* These applications have been denied; but the Professors felt themselves bound, in justice to Mr. West, to make this statement, on the information possessed by them.

this paper, or to do more than use their utmost exertions to effect a solution of the difficulty—inasmuch as all these arrangements were but preliminary to a complete adjustment by the assembled Professors. Mr. West enjoyed the power of withholding his assent at any stage of these negotiations—up to the next meeting of the Council, and of this he was repeatedly reminded during the meeting. However that gentleman called the same evening on the Professor of Materia Medica, having in the interval taken the opportunity of consulting his friends, and placed in his hands a memorandum, in which he finally withdrew from the negotiation. Professor Fleming wrote a letter to Mr. West in reply to that memorandum, and subsequently received an answer, which constituted the last communication. With admirable consistency on the part of the enemies of the College throughout these transactions, the *last of these letters only has been published*. The Professors beg now to submit copies of both.

Monday, October 26, 1857.

Dear Sir,—While I have fulfilled your desire by submitting to the meeting of the Medical Professors, on Saturday, the memorandum which you handed to me on Friday evening, I feel bound to state my conviction that you have misinterpreted the position of Dr. Heslop and myself in presenting to you the minute of the meeting on Friday, and to which your memorandum professes to be a reply.

The following are facts:—I was invited by yourself (and I accepted the honour unwillingly) into your room to hear a statement from you and Mr. Gamgee, which you both seemed to hope would be the preliminary to an amicable adjustment. You announced yourself prepared to take the office of assistant surgeon, in the Queen's Hospital, under Mr. Gamgee as surgeon, if all parties interested, your friends among others, concurred. You requested me to make such communication to the Professors, who, on hearing it, agreed to the minute which Dr. Heslop and I showed to you. In drawing up that minute the Professors only responded (in the hope of facilitating a friendly arrangement) to the joint message of peace of which you and Mr. Gamgee made me the bearer. They have not thought a reply to your memorandum necessary, as they understood by it, simply, that since you requested me to act as mediator you have changed your mind.

The Professors could not more distinctly than they have done assert their decided opinion of the superiority of Mr. J. S. Gamgee's claims to the office of Surgeon to the Queen's Hospital.

I am, &c., &c.,
(Signed) ALEXANDER FLEMING.

J. F. West, Esq.

The following is Mr. West's reply:—

The Queen's Hospital, October 26, 1857.

Dear Sir,—I am very sorry if I have placed you in an unpleasant position. You seem to be under the impression that I made you a proposition which I wished to be submitted to the Professors' Committee. Such was not the case. I intimated, with, as I thought, sufficient distinctness, my inability to make any propositions myself, or to entertain any, unless they were made officially by the Professors, so that I might have an opportunity of submitting them to my friends for their consideration.

The propositions or resolutions embodied in the minute of the Professors' meeting, I, in accordance with my promise, laid before my friends, and their opinion was that they were not such as they could advise me to entertain.

I immediately wrote to you to that effect, and I really think that you have no reason for assuming that the conclusion I arrived at was occasioned by my "having changed my mind."

I remain, dear Sir, yours faithfully,
(Signed) JAMES F. WEST.

A. Fleming, Esq., M.D.

The public will be able to draw their own conclusion from these facts and this correspondence. The Professors consider themselves to be entitled to look for the support of that portion of the friends of the Hospital who believe that one conciliatory act has a greater validity, as showing an intent, than can be demonstrated by many conciliatory professions. They did the utmost in their power to meet the wishes of Mr. West. They do not blame that gentleman for having reconsidered his views; but, on the contrary, are thankful that the declaration of his first intentions has saved them from the only accusation to which they could have found no answer. If indeed a gentleman who had been, even temporarily, placed on the vantage ground of full Surgeon, had subsequently displayed an ardent desire to cut the knot of many difficulties—to preserve the peace of two institutions—to render the harmonious working of a charity possible—and had exhibited a generous resolution to yield a little for a time, in order that a rival of eminent merit should pass him by; and if, to the furtherance of these ends, this gentleman had made overtures in this sense to the Professors, and those overtures had been refused, they find no difficulty in imagining the indignant eloquence with which their conduct would have been denounced by his advocates. The public would not have been perplexed with the varied denials of opposite interests—the matter would have worn a plain aspect—the persecuting spirit and obstinacy of the Professors, who could have longer doubted? But these are charges from which they are now relieved.

On the day of Mr. West's election remarks were made by one of the Professors upon the infraction then made of the intention of the law, and upon the mode by which that infraction had been effected. Between that day and the next ordinary monthly meeting of the Council they became more fully aware of the wrongfulness of that proceeding; this, coupled with the deep appreciation of the injury done to honourable candidates and to valuable institutions—not to speak of the good cause of social progress, determined them to appeal to the Council for a re-consideration of their decision. A brief communication having this object was printed, and sent to every member of the Council. The Dean of the Faculty directed that to the ordinary notices of monthly meetings should be appended the words, "to confirm or rescind the minutes of the previous meeting," for the purpose of giving all persons concerned a due intimation that the question of Mr. West's election was to be re-opened. The friends of that gentleman urged that the only question as to the minutes of which they could take cognizance was, whether they were an accurate reflection of the business transacted, or the contrary. The Professors, remaining fully impressed with the excellence of their objections to the election, freely complied with the general usage in the matter, and the minutes were confirmed and signed.

At this meeting much discussion took place upon the question of canvassing being opposed to the practice of the College and spirit of the laws. Many observations were made calculated to show beyond dispute that the present Medical Officers had not been guilty of direct or indirect intervention with the Council in their respective elections. On the other hand declarations and admissions of a most serious nature were made, which no less plainly indicated that canvassing had been effected on behalf of the

successful candidate in the recent election. A marked effect was produced upon the minds of gentlemen who had voted for that candidate, to such an extent, in fact, that the seconder* of the resolution passed at the termination of the sitting, affirmed that the course of the Council would be easy if only canvassing were distinctly brought home to the person involved. The resolution was as follows:—"It having been alleged by certain members of the Council that a canvass was made in favour of Mr. West, contrary to the understanding in the elections of the College, and to previous usage, it was proposed by the High Bailiff of the Manor of Birmingham, and seconded by the Rector of the Parish of Birmingham—That Mr. Knowles be requested to continue in office until the next meeting of the Council, the same to be made special, to examine into the allegations in reference to the validity of Mr. West's election."

The important question mooted by the Professors seemed now to have assumed a definite shape. They could scarcely have wished more than the Council unanimously yielded. They felt that a great principle was in a sure way of vindication, and were the better satisfied, considering the distinguished quarter from which that vindication was evidently about to emanate. The Council again broke up.

The Professors call attention to the fact that the Council requested Mr. Knowles to continue in office until the special meeting. That gentleman's time expired the day after the above ordinary meeting was held, but the Council rightfully assumed the power of retaining his services, pending the settlement, and of preventing Mr. West taking up his duties. It must be remembered that this was an *unanimous decision of the Council*.

In the interval the Professors thought it their duty to supply a detailed account of the whole of their objections to the appointment of Mr. West, and, especially, to frankly declare the nature of their evidence relative to canvassing, that nothing of the nature of a surprise should take place. This document was printed and sent to every member of the Council. Its conclusion was as follows:—

"The undersigned do further protest against the election of Mr. West, on the ground that such a proceeding is directly subversive of the fundamental principles which originally produced, and which have, ever since its inauguration, guided the administration of the Queen's Hospital, as seen in the important documents hereafter appended. That the Queen's Hospital is an integral portion of the Queen's College, and by far the most important element in its medical school—that its close connection with the College has been provided for in the most remarkable and unmistakable manner, by various laws and bye-laws—that any Medical Officer in the said Hospital is compelled by his appointment to undertake, if called upon, the duties of Professor in the Queen's College—that, on the other hand, no person, whether an officer of the Hospital or otherwise, can undertake the duties of a Professor in the College, until the Council of the College shall have elected him as such, after a report from the Professors, as to his fitness for the vacant Chair—that it is in consequence of this necessary

* It should be stated, in justice to the Rector of St. Martin's, that he affirms he was not aware at the time of the non-existence of a *statute* against canvassing.

connection of the two Institutions, and of an appointment in the Hospital, leading naturally, under ordinary circumstances, to an appointment in the College, where special qualifications of a high order are required for the performance of the professorial duties—that the laws of the College have given the right of initiative in matters of medical election to the Professors of the Medical Faculty, and of actual election to the Council of the College. That these bodies, so differently constituted, in electing Officers, and in other acts of administration involving the Queen's Hospital (an Institution mainly supported by the voluntary contributions of subscribers), can only co-operate in furtherance of the interests of the College and Hospital on the basis of good faith and mutual confidence; and that the display on the part of either of these bodies of disregard for the views of the rest, must lead to fatal embarrassments in the government of Institutions which have been founded and united together at the cost of so much time, labour, money, and ability, and tend to the swift destruction of the present flourishing Medical School of the College.

“On these several grounds, the undersigned, in full confidence in the desire of the Council to do justice to Candidates in open competition for a public appointment, and with the trust that the time-honoured usages of this College will still be maintained intact—and that the Council will not withdraw the confidence hitherto reposed in the loyalty of the Professors, when discharging their responsible duty, in accordance with the demands of the laws, of advising the Council as to the best Candidate for a medical appointment—beg again respectfully to request the Council to re-consider the recent appointment of Surgeon to the Queen's Hospital.”

On November 13th the Council met. After the confirmation of the minutes of the last meeting, the document of the Professors above alluded to was taken as read, and ordered to be inserted on the minutes. The special business of the meeting was then entered upon, Mr. West and his legal adviser having been allowed to be present, on petition, when the canvassing question was entered upon. The evidence was scarcely opened, which embraced the particular practice of this election—the understanding among the candidates and the previous usage, when those gentlemen retired, the latter averring that the course adopted by the Council in that question would not modify “their” course. The seconder of the resolution, which the Council were called together to consider, had just previously left the room, having business elsewhere, and considering it a mere “waste of time” to inquire into allegations which, if proved, could in no way affect the validity of the election. A resolution was proposed by him, in this sense, and to which he consented to add, if wished, a rider, strongly condemnatory of canvassing. This resolution was negatived. Another gentleman also retired from the room. Notwithstanding, the majority of the remaining members of the Council deemed the evidence sufficient to warrant the conclusion that the election of Mr. West was invalid. This was the particular basis, as defined by the resolution, for that conclusion. One of the Professors desired to widen the discussion so as to embrace the general question of the interpretation of the law. To this the Rev. Chancellor Law, as Chairman, strongly objected, and his decision that the attention of the Council on that day should be confined to the election *quoad* the one point of canvassing

obtained the general assent of the Council. The Professor alluded to was, consequently, overruled.

The declaration on the part of the Council, that the election of Mr. West was null and void, left the office again open, and its functions, it must be remembered, had been in abeyance, so far as the candidates were concerned, inasmuch as the Council had inhibited Mr. West from discharging those functions. Three meetings had been held in strict sequence, in which the absorbing question was this election. Advertisements had been inserted in the papers—a report had been made and read. These were preliminaries which could not be repeated. It was certain that one gentleman only had obtained the recommendation of the Professors; it was equally certain that, under every temptation, he had refrained from canvassing. He had not even appeared in the town until several days after the election of Mr. West. It was sufficiently clear that the passing over of Mr. Gamgee, under all the circumstances, would have made the proceedings of the College assume a most unsatisfactory appearance. The Council are required by the charter “to act in such manner as shall appear to them best calculated to promote the objects and interests of the said College,” and to have elected other than the “best fitted” candidate, and to have attempted a further compromise among the candidates, could have ended only in dissatisfaction and distrust.

The election of Mr. Gamgee to a full office has been commented upon; but it had been just declared *vacant*, in close accordance with the definite object of the meeting, which was not to inquire into certain allegations, as so ingeniously stated, but to examine into those allegations “in reference to the validity” of Mr. West’s election. The Council were not required *to report to the following meeting*, but were distinctly granted the power of affirming the election of Mr. West invalid, by the terms of the resolution.

The Professors entertain the confident belief, that in view of the anomalous conditions which existed on the 13th of November, by which the interests of two Institutions were seriously jeopardised, no other course could have met with public approval than the election of the Candidate whose scientific reputation had been endorsed during the election itself, by the medical journals of London, and by some of the most eminent in the profession. They cherish the hope that the supporters of the Hospital will be more anxious to inquire if the best man has been elected, than to draw refined distinctions as to the most fitting day for the election to have taken place.

There was still another meeting of the Council—the ordinary monthly meeting—on the 2nd of December. On the question of signing the minutes, the Rector of St. Martin’s moved, to the great surprise of those who had listened to his arguments a fortnight before, that they be not signed, not on the ground that they were not a faithful record of what had passed, but because they were illegal. That gentleman based his motion on certain data which have been already disposed of. It is a remarkable circumstance that the logical conclusion from those data—that the whole proceedings of the 13th of November were illegal—was avoided in that motion, which ended with resolving that only that part of the minutes of the meeting connected with other than its “definite object,” should be expunged. This

was still more apparent in observations made in Council. The mover did not appear to have a strong objection to the resolution of the Council, declaring the office vacant, but to the mode in which it had been filled, by the election of Mr. Gamgee. But this is a personal question, which the public will duly subordinate.

The Professors have now placed the facts connected with this election before the friends of the Hospital. They do not care to defend themselves from the malicious and utterly unfounded interpretation which has been affixed to every part of their conduct from the hour of their first recommendation of Mr. Gamgee to this present day. That gentlemen, in the discharge of a most solemn duty and delicate trust, acting under a royal charter, should have proved superior to the usual motives which induce even honourable men to advance their friends, their pupils, their colleagues, and have been led to recommend originally, and stand by now, a candidate, a stranger to themselves, whose claims to that recommendation calumny itself has not been able to impeach, was not considered to be a course of conduct likely to form the subject of the bitterest obloquy, the gravest misrepresentation. But this is but the smallest portion of the damage attempted by the enemies of social progress and of honourable competition. The Professors, viewing the injury likely to be inflicted upon the prospects and scientific position of able and excellent men by the very circumstance that they had refrained from the employment of other means of advancing their end than those which were justified by College usage, resolved, at every risk to their peace and to their material interests, to earnestly but respectfully request the Council to reconsider their first decision. During these discussions, and still more after they had resulted in the success of a just cause, the Hospital and College were made the objects of ridicule, and their officers of insult. The Founder of both institutions was taunted from the platform that he no longer talked of resigning his connection with a charity and a College to which he had devoted his life. Religion itself was invoked, and alms were threatened to be withheld.

The Professors know that the public have already begun to appreciate the real nature of this issue. They do not desire to anticipate the verdict upon such facts as have been laid before them. It is sure, insomuch as merit is now fairly destined to triumph over patronage in this country, and the support of the moral right of the best man to every open place, has become the practical resolve of the people.

Queen's College, Birmingham, Dec. 8, 1857.

APPENDIX A.

OFFICIAL REPORT.

THE Professors in Medicine and Surgery of the Queen's College, at Birmingham, having been requested by the Council to report on the Testimonials of the Candidates for the Office of Surgeon of the Queen's Hospital, specifying the names of such Candidates as in their judgment are qualified and eligible, and in their opinion best fitted to fill the vacant Appointment, specifying the grounds of their recommendation, have to report, that six applications have been received from—

- Mr. JOSEPH SAMPSON GAMGEE, Staff Surgeon of the First Class, Principal Medical Officer of the British-Italian Legion during the late War; late Assistant-Surgeon to the Royal Free Hospital, London, House Surgeon and Ophthalmic Surgeon's Assistant at University College Hospital.
- Mr. BENJAMIN HUNT, late House Surgeon of University College Hospital; late Resident Physician's Clinical Assistant at the Hospital for Consumption at Brompton; late House Surgeon to the Kent County Hospital for Diseases of the Eye and Ear; and late Medical Officer of the Queen's Hospital.
- Mr. THOMAS FURNEAUX JORDAN, late Resident Surgeon of the Warneford Hospital and Bathing Institution, Leamington, and Junior Anatomical Demonstrator at Queen's College.
- Mr. HENRY LAKIN, Surgeon to the General Dispensary; late Assistant-Surgeon, Dreadnought Hospital Ship, Greenwich; late Assistant-Surgeon Smyrna Hospital and General Hospital before Sebastopol.
- Mr. JAMES WILLIAM MOORE, Surgeon in the Bombay Army, Honourable East India Company's Service; late Resident Medical Officer of the Queen's Hospital.
- Mr. JAMES F. WEST, late Resident Medical Officer of the Queen's Hospital.

That after mature and careful consideration of the Testimonials of the respective Candidates, the Professors report that all the Candidates are both qualified and eligible.

That in their judgment, Mr. Joseph Sampson Gamgee appears the best fitted for the Appointment, on the following grounds:—

That he was a most distinguished student of University College, London, and obtained, as evidences of his abilities, no less than five Gold Medals in the various sciences of Anatomy, Physiology, Surgery, Clinical Medicine, and Clinical Surgery.

That he discharged the responsible duties of Resident House Surgeon at University College Hospital, and also those of the Ophthalmic Surgeon's Assistant, to the satisfaction of the Surgical Staff and the Governors at large.

That for a period of two years he availed himself of the vast field of study afforded in the Hospitals, in the Dissecting-Rooms, and in the Museums of the Continent, and obtained such a reputation for industry, ability, and skill, as to warrant the strong testimonials of such men as Baron Larrey, Surgeon to the Emperor Napoleon, M. Bonnet, Professor of Clinical Surgery in the Hôtel-Dieu of Lyons, of Carlo Burci, Professor of Surgery in the University of Pisa, of M. Velpeau, Member of the French Institute, who says, "My personal knowledge of you, the zeal of which you have given proof in our hospitals, your published writings, warrant me in affirming that you have all the intelligence, all the learning, and all the aptitude requisite for an excellent hospital surgeon, and that science will find in you a worthy representative;" and of many other eminent Surgeons in France and Italy.

That Mr. Gamgee was appointed to organize the Medical Staff, and superintend the Hospitals of one of the British-Foreign Legions in the late war; the onerous duties of which position were so fulfilled by him, that the Minister of War, the Director-General of the Army Medical Department, His Excellency Sir James Hudson, and others, express their opinions of his public services in high terms.

In addition to the recommendation of the distinguished individuals above referred to, Testimonials are submitted to the Professors in favour of Mr. Gamgee, from many of the most distinguished medical men of this country. One of these, from Professor Paget, F.R.S., of London, is thus expressed: "He (Mr. Gamgee) is a gentleman, not only of great natural ability, but of surprising activity and enterprise. How good a Surgeon he is, he has proved by his numerous works, and by the reputation he has gained in every post he has filled; how able to teach others, the energy and clearness with which he speaks and writes will abundantly testify; how skilled in extending and improving surgical science, his constant zeal in new and laborious inquiries has long established."

As an Author, Mr. Gamgee is favourably known to the profession, by his Works on Pathological Anatomy and Clinical Surgery, and On the Treatment of Fractures by the Starched Apparatus, and also by numerous papers on scientific subjects, in medical periodicals.

WILLIAM SANDS COX,

Dean of Faculty.

APPENDIX B.

TO THE EDITOR OF THE "BIRMINGHAM DAILY PRESS."

Banwell, Somerset, December 5, 1857.

MR. EDITOR,—Though I am most anxious to avoid all personalities, I consider it due to myself to notice one passage in the resolution moved by Dr. Miller at the Council Meeting of the Queen's College, Birmingham, on the 2nd inst.

It is as follows:—"The Chairman distinctly stated that no other business could be brought forward, and that he should leave the chair were an attempt made to do so." Now, what was the business? Dr. Miller himself partly drew up, and seconded, the resolution in which it was expressed, viz., "It having been alleged by certain members of the Council that a canvass was made in favour of Mr. West, contrary to the understanding in elections of the College, and to previous usage—resolved, that Mr. Knowles

be requested to continue in office until the next meeting of the Council, the same to be made special, to examine into the allegations in reference to the validity of Mr. West's election."

The Council met accordingly, when Dr. Birt Davies, in the course of one of his speeches, having stated that there were other grounds besides that of canvassing to invalidate the election of Mr. West, Dr. Miller interposed, and protested against fresh matter of accusation being brought forward, and appealed to me as chairman, upon which I at once stated, that I thought the speakers should confine themselves strictly to the notice, *i.e.*, to the one point of canvassing; and turning to Dr. Birt Davies, I added, "in drawing up a case you might urge all your points, but here and now you cannot travel out of the record." Dr. Birt Davies at once bowed to the decision of the Chairman.

But Dr. Miller, what did he say and do?

He observed in effect this—"Although you prove canvassing, you have done nothing to invalidate the legality of the election, so it is useless to remain in the room"—and he left.

But had he not himself been the chief party in drawing up the notice, which put that point, the question of canvassing, at issue?

We had met, according to the wording of his own motion, on purpose "to examine into the allegations in reference to the validity of Mr. West's election," when lo! Dr. Miller did not attempt to disprove the allegations, but entirely shifted his ground. The party accused, and his friends, leaving the room when the case came on for hearing, I considered that judgment went by default, and acted accordingly.

I always thought when there was a trial, it was expected there would be, and there ought to be, a judgment.

"No other business" but the one of canvassing was brought forward, and that was worked out to its obvious and natural conclusion.

I remain, Mr. Editor,

Yours very faithfully,

JAMES T. LAW,
Warden of Queen's College.

APPENDIX C.

TO THE EDITOR OF THE "BIRMINGHAM DAILY PRESS"

Temple Row, Birmingham, December 3, 1857.

SIR,—I have with the greatest regret observed that, both in the newspapers and in the Council Room of the College, the Rev. Canon Miller has, in advocating the cause of Mr. West, most unjustly sought to heap discredit on my colleagues and myself, and odium on the College. I am therefore compelled to request your insertion of the following plain statement of facts.

After a most mature and careful examination of the testimonials of the respective candidates, my colleagues and myself reported "on our honour" that Mr. Gamgee, in the terms of the *public advertisement issued by the Council*, and in accordance with the *statutes* of the College, was "eligible," "qualified," and "best fitted" for the appointment.

On the other hand, Canon Miller has openly declared *that he knows nothing of, and cares nothing for, Mr. West, and that he gave his vote to him because he was determined not to accept the recommendation of the Professors.*

Canon Miller, it appears, thinks it no wrong that the Council should issue an advertisement as "a mockery and a fraud," nor that he should promise his vote beforehand on purely personal considerations, and tenaciously adhere to his promise in the council-room, even after hearing the report of the Professors.

On the other hand, I have no interest to serve beyond the advancement of my profession, and the welfare of the sick and maimed poor of my native town. I did not permit my valued friendship of twenty-five years' standing with Dr. Davies to induce me to support the claims of his son, which, to say the least of them, are fully equal to

Mr. West's; but I strictly adhered to the principle, *detur digniori*, which has always guided the hospital elections, and which I have ever felt to be indispensable to the welfare of the charity.

Canon Miller, who has been for a period of ten years an *ex-officio* member of the hospital committee, and separated from the place of meeting by a boundary wall only, has never attended a single board. As a member of the council of Queen's College, he has during ten years been present twice only previously to the present unhappy differences, and then, as now, for party purposes solely.

On the other hand, fifteen years of my life sedulously devoted to attendance on the sick and suffering within the walls of the Charity, may perhaps warrant my deeming myself capable of forming a correct judgment as to "the fitness" for a surgical appointment.

It is perfectly true that eighteen months ago my father and myself gave Mr. West a certificate of fitness, when a candidate for a *subordinate office* at the Liverpool Infirmary, which he failed to obtain. These testimonials Canon Miller has not hesitated to misrepresent to the public as testimonials of Mr. West's "fitness" for a full Surgeoncy at the Queen's Hospital.

It is far from my wish to depreciate Mr. West's qualifications, but Canon Miller compels me unhesitatingly to declare that I do not consider Mr. West, on the ground of *deficiency of age and experience* (he being, as I am informed, twenty-four years of age only), "eligible," "qualified," and "best fitted," in the terms of the public advertisement and the statutes of the College, for the responsible and arduous appointment of full Surgeon at the Queen's Hospital, and *ex-officio* teacher of Clinical Surgery in Queen's College. Mr. Gamgee is thirty years of age, and is recommended for his *experience, great operating skill, and facility of communicating his large amount of practical knowledge*, by the most eminent Surgeons of this country and of Europe generally. Mr. Gamgee was, previously to his election, perfectly unknown to me, except by his valuable surgical publications.

The selection of the most able and experienced Surgeon to attend upon the sick and maimed poor in the Hospital, and to instruct the future Surgeons of the town and district, is so palpably our duty, that I feel assured the public will not fail to appreciate the earnest efforts which have been made to secure that object.

Canon Miller has publicly declared that it is his intention to withdraw his subscription and the *offertory money of his congregation* from the Hospital, and as far as lies in his power to deprive the Charity of testamentary bequests, should his attempt to reinstate Mr. West ultimately fail. The Mayor, to his honour, has expressed his regret that he voted for Mr. West, and has urged him to resign. Mr. Armfield, who honestly avowed at the first meeting that he had been canvassed and promised his vote, has cordially expressed his regret. These gentlemen, with Mr. T. Baguall and Mr. S. Haines,* have never attended a single meeting in support of Mr. West since the 14th of October. Mr. George Taylor has since supported Mr. Gamgee. At every subsequent meeting the Rev. Canon Miller has been unsupported except by Mr. Welch and Mr. Cliff, and has drawn up his own partial statements for the purpose of misleading the public.

In conclusion, I am well aware, in the words of the late Dr. Warneford, addressed to me on the 20th of March, 1840, "that there is no doing much good without much trouble and perseverance, and that *the tax often attendant on exertions in the best of causes will be the detraction of envy, jealousy, and low-minded malevolence*; but he who has not nerve to meet such assailants will seldom, if ever, accomplish either great or blessed achievements."

I remain, Sir, your obedient servant,

WILLIAM SANDS COX.

* Mr. S. Haines has stated that he was absent from town.

APPENDIX D.

TO THE COUNCIL AND SUPPORTERS OF THE QUEEN'S HOSPITAL.

Clarendon Lodge, Leamington, Dec. 5, 1857.

GENTLEMEN,—Having taken a deep interest in the Queen's Hospital from its foundation, and been hitherto intensely gratified by its great success in affording relief to the afflicted poor, and an invaluable field for study to the students of Queen's College, I cannot resist giving expression to my strong feeling of regret that the welfare of these sister Institutions should be threatened by an unhappy dissension in the Council on the election of a Surgeon to the Hospital.

It appears that Mr. West, the House Surgeon of the Hospital, has so far ingratiated himself with many of the Council by his amiability and praiseworthy attention to the patients, that they have, out of kind feelings towards him, disregarded the pledge given in the invitation of candidates, that testimonials of qualification would, as required by the laws of the College, alone determine the choice.

On this understanding six candidates, including Mr. Gamgee and Mr. West, sought the appointment, and sent in their testimonials, which were, in accordance with the rules of the College, referred to the Professors for their report.

The Professors, "pledged on their honour, without fear, favour, or affection, to report on the qualifications of the candidates," unanimously reported Mr. Gamgee, who was not personally known to one of them, to be best qualified, "professionally and otherwise."

Unhappily the election of the candidate pronounced by the Professors to be best qualified was so far taken to be a matter of course, that the party that had given way to their kind feeling for Mr. West, and converted the election into a personal affair, outnumbered the supporters of the Professors' Report by one—the casting vote being given by the Rev. Canon Miller, who had not, I am informed, attended any previous meeting of the Council for four years. This violation of the pledge given to the candidates, that the one who furnished the highest testimonials should be chosen, could not of course be allowed to pass uncorrected. Another meeting of the Council was therefore called, and Mr. Gamgee was elected.

It is much to be regretted that this correction of a false step has not been gladly adopted by all the parties who took it. On the contrary, I regret to see that Canon Miller is exerting himself strenuously to confirm the wrong he committed, and threatens to withdraw his support from the Hospital if he should not succeed. Those who have listened to the fervid eloquence with which he inculcates the blessed tenets of the Gospel will never believe that he will, on reflection, make the afflicted poor the victims of his angry feelings.

If there could be any doubt as to the preponderance of Mr. Gamgee's testimonials over Mr. West's, it might perhaps have been excusable to allow personal regard for him to turn the scale. But I feel quite sure that no impartial reader can doubt that Mr. Gamgee's testimonials far outweigh Mr. West's; and, that being the case, the public pledge given to the candidates that testimonials would govern the election, could not be violated without the greatest injustice.

To invite candidates to incur the trouble and expense of furnishing testimonials, for the sole purpose of passing a wrongful and degrading verdict upon them, would be the grossest wrong that could be inflicted.

* * * * *

There can be no doubt that the Professors had a strong friendly feeling for Mr. West, but their sense of duty was still stronger, as was exhibited in the most marked manner by Dr. Davies withholding his son from being a candidate, though to qualifications equal to Mr. West's he could have added his father's high claims on the Institution, and was open only to an objection common to Mr. West—want of age and practical experience.

That I am not a perfectly unbiassed advocate in this matter I will freely confess. I have from boyhood had the advantage of Mr. Sands Cox's friendship, and I cannot see the wonderful labour of his life threatened with ruin without feeling deeply grieved. That Queen's College is now, through his exertions, the first Medical School out of

London cannot be doubted. That, if the laws of the College, which require that the election of its medical teachers shall be governed by testimonials, are to be disregarded, the reputation and benefit of the College must decline, is equally free from doubt.

I therefore most earnestly trust that the welfare of this most valuable institution may not be sacrificed to personal regard for Mr. West. It is no disparagement of Mr. West to hold that his attainments are inferior to the surpassing qualifications of Mr. Gamgee—the difference in age and experience, the one being, as I am informed, twenty-four, and the other thirty, would settle the question, though it were admitted that their abilities are equal.

I am, Gentlemen,

Your obedient Servant,

J. P. WILMOT.

Personal infirmity prevents my attending any public meeting, or making known my sentiments otherwise than by the publication of this letter.